

PATENT CASE NO. RS0212

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: John W. Phillips

Serial No.: 10/566,426

Filed: January 30, 2006

Group Art Unit: 1645

Examiner: N. Archie

For: Methods for Using A Sterol Biosynthesis Pathway Reporter Gene to
Screen for Antifungal or Lipid Lowering Compounds

**NOTICE OF APPEAL FROM THE EXAMINER
TO THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Applicant(s) hereby appeal(s) to the Board of Appeals from the decision dated June 23, 2009 of the
Examiner rejecting claims 1-11, 13, 15, 17, 19-23 and 25-30.

The item checked below is appropriate:

☐

Fee not required (Fee paid in prior appeal).

☒

Charge the \$540 fee to Deposit Account No. 13-2755.

(Duplicate copy of this Notice is enclosed herewith)

The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment
to Deposit Account **13-2755**.

Respectfully submitted,

/Melissa B. Wenk Reg. No. 53,759/

By: Melissa B. Wenk

Attorney for Applicant(s)

Reg. No. 53,759

MERCK & CO., INC.

Patent Department, RY60-30

P.O. Box 2000

Rahway, N.J. 07065-0907

(732)594-2756

DATE: September 18, 2009